

CFN 2009126606
Bk 03845 Pgs 2467 - 2470; (4pgs)
DATE: 11/30/2009 03:59:09 PM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 35.50
DEED DOC 0.70

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THIS INSTRUMENT PREPARED BY & RETURN TO:
Fred A. Morrison
McLin & Burnsed, P.A.
Post Office Box 491357
Leesburg, Florida 34749-1357

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 19th day of November, 2009, by WILLIAM VIRGIL BALLARD AND MARY ANN BALLARD, husband and wife, whose address is 1431 Beverly Point Road, Leesburg, FL 34748, hereafter referred to as Grantor, to THE CITY OF LEESBURG, FLORIDA, whose address is P.O. Box 490630, Leesburg, FL 34749-0630, hereafter referred to as Grantee,

WITNESSETH:

That for and in consideration of the sum of \$1.00 and other good and valuable considerations, in hand paid and tendered unto Grantor, receipt whereof is hereby acknowledged, Grantor does hereby grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, a perpetual easement over and across the following described real property:

AS DESCRIBED ON EXHIBIT "A" ATTACHED

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications. If Grantee damages any surface improvements in its use of this easement, it shall repair any such damage at its expense, and restore the improvements to substantially the same condition they were in prior to the damage. Grantee is also given an irrevocable license, for so long as this Easement remains in effect, to cross the adjoining real property owned by Grantor, for the purpose of conducting any activities permitted by this Easement provided that such right of passage shall not interfere substantially with Grantor's use of its adjoining property.

To HAVE AND TO HOLD unto Grantee, its successors and assigns forever. Grantor does hereby warrant the title to the interests conveyed to Grantee hereunder and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has set his or her hand and seal the day and year first above written. As used herein, the term "Grantor" shall refer to that person, or those persons, so named above, and shall be interpreted as being singular or plural, and shall be considered to have the person, number and gender appropriate to the context of the named individuals or entities.

{SIGNATURES APPEAR ON FOLLOWING PAGE}

WITNESSES (two required)

GRANTOR:

Julie A Fox
Julie Fox
(Type or print name of Witness)

William Virgil Ballard
WILLIAM VIRGIL BALLARD

Sara Luff
sara luff
(Type or print name of witness)

Mary Ann Ballard
MARY ANN BALLARD

STATE OF FLORIDA
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared WILLIAM VIRGIL BALLARD and MARY ANN BALLARD, husband and wife, who acknowledged before me that they executed this instrument on the 19 day of November, 2009, and who were either personally known to me, or who produced FL DL as identification.

Julie A Fox
NOTARY PUBLIC
Julie Fox
Type or print name of Notary

DD727215
Commission Number
10/21/11
Commission expiration date

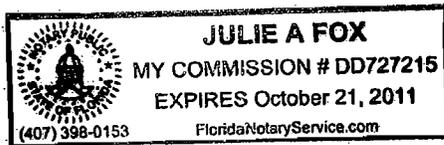


EXHIBIT "A"

PARENT PARCEL: OR. BOOK 822, PAGE 2252, TO WIT;

BEGIN AT A POINT 263.00 FEET WEST AND 40.00 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 15, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEEBSBURG, FLORIDA, THENCE RUN WEST 77 FEET; THENCE RUN NORTH 130 FEET; THENCE RUN EAST 77 FEET; THENCE RUN SOUTH 130 FEET TO THE POINT OF BEGINNING, LAKE COUNTY, FLORIDA.

DESCRIPTION : UTILITY EASEMENT

A 7.8 FEET WIDE, PERPENDICULAR MEASURE, PARCEL OF LAND LYING SOUTHERLY OF AND CONTIGUOUS WITH THE NORTHERLY LINE OF THE ABOVE DESCRIBED PARENT PARCEL AND A 6.06 FEET WIDE, PERPENDICULAR MEASURE, PARCEL OF LAND LYING EASTERLY OF AND CONTIGUOUS WITH THE WESTERLY LINE OF THE ABOVE DESCRIBED PARENT PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 822, PAGE 2252, SECTION 15, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

ALSO DESCRIBED AS:
BEGIN AT A POINT 263.00 FEET WEST AND 40.00 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 15, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEEBSBURG, FLORIDA, THENCE RUN WEST 72 FEET; FOR THE POINT OF BEGINNING (P.O.B.) OF THIS EASEMENT, THENCE RUN WEST 6 FEET; THENCE RUN NORTH 130 FEET; THENCE RUN EAST 77 FEET; THENCE RUN SOUTH 7.8 FEET; THENCE RUN WEST 72 FEET; THENCE RUN SOUTH 122.8 FEET TO THE POINT OF BEGINNING, LAKE COUNTY, FLORIDA.

THE ABOVE DESCRIBED EASEMENT CONTAINS 1,598.000 SQUARE FEET OR 0.027 ACRES, MORE OR LESS.

GENERAL NOTES

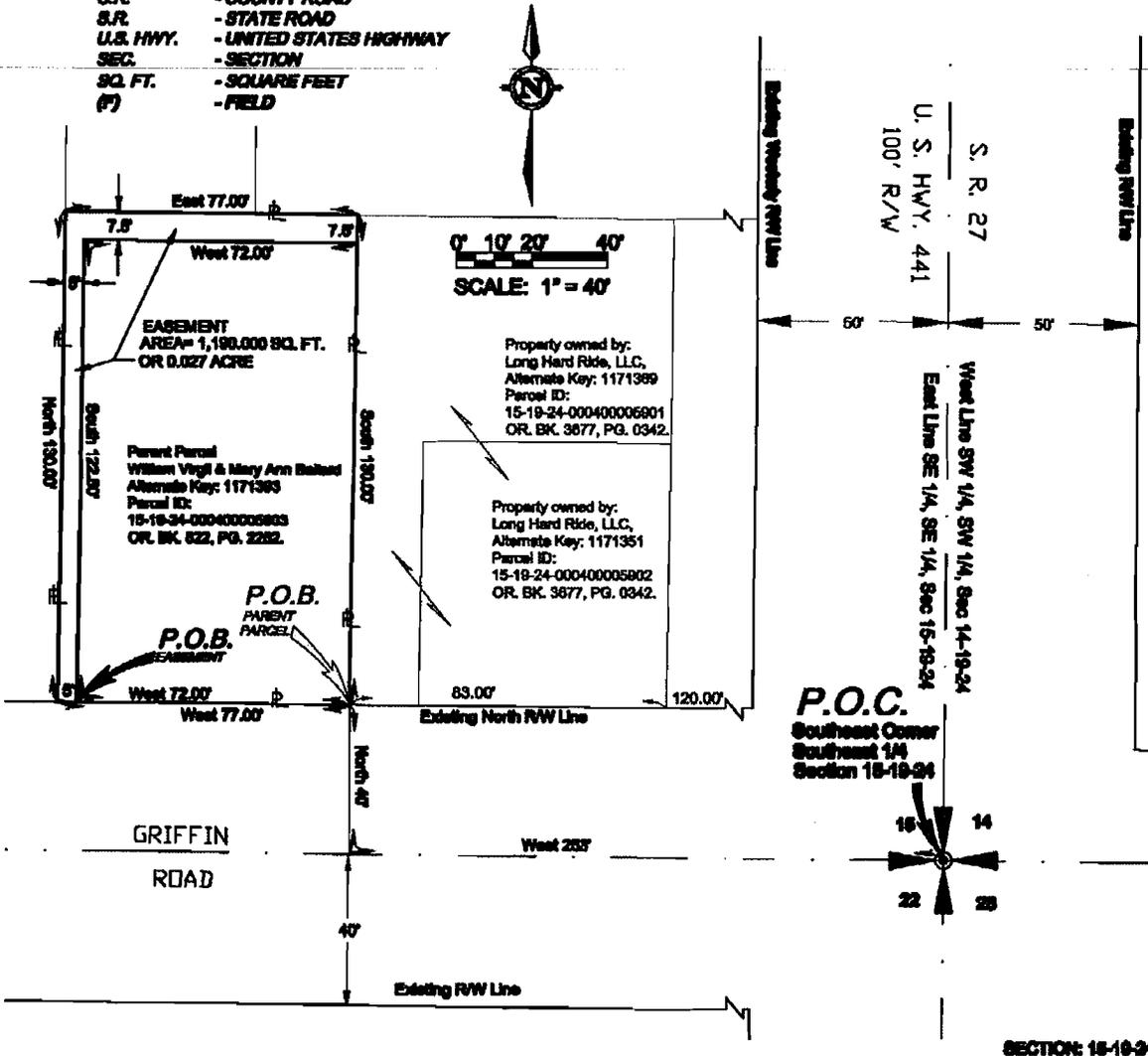
- 1: This is NOT A BOUNDARY SURVEY.
- 2: This sketch is to show existing site information and improvements for the sole purpose of conceptual design.
- 3: This sketch was prepared for the City of Leesburg and its assign's as their interests may appear. Use of this sketch by any other parties is strictly forbidden.
- 4: Use of this sketch shown on sheet 2 for any other purpose than that stated in note (2) is the sole responsibility of the user. The City of Leesburg assumes no liability for the misuse of this information.
- 5: All information outside the labeled limits of this site is for general reference purposes only. Assumption of correctness outside of said site boundary is the liability of the user.
- 6: The Bearings, shown hereon, are relative to assumed datum and are Based on the Legal Descriptions as described in O R Book 822, page 2252, Section 15, Township 19 South, Range 24 East, Lake County, Florida.
- 7: This sketch was prepared by the City of Leesburg, Public works Department, Survey Division, under the direction of Steven C. Davis, Electric Service Planner, for the City of Leesburg.
- 8: This sketch contains 2 sheets in which NONE are valid without all remaining sheets.

SECTION: 15-18-24

 <p>CITY OF LEEBSBURG PUBLIC WORKS DEPT. ENGINEERING DIVISION 800 S. 14th ST. - P.O. BOX 402860 LEEBSBURG, FLORIDA 34708 PHONE (352) 728-6782 FAX (352) 728-6879</p>	<p>SKETCH OF DESCRIPTION 10' UTILITY EASEMENT William Virgil & Mary Ann Ballard to the CITY OF LEEBSBURG</p>	DATE: 02/28/2009	SHEET
		DRAWN: DDF	NUMBER
		CHECKED: DDF	1
		APPROVED: AP	OF
		SCALE: NTS	2
		FILE NO.: EA00013	

EXHIBIT "A"

- LEGEND**
- CL - CENTERLINE
 - R/W - RIGHT-OF-WAY
 - P.O.B. - POINT OF BEGINNING
 - P.O.C. - POINT OF COMMENCEMENT
 - P.B. - PLAT BOOK
 - E - PROPERTY LINE
 - PG. - PAGE
 - C.R. - COUNTY ROAD
 - S.R. - STATE ROAD
 - U.S. HWY. - UNITED STATES HIGHWAY
 - SEC. - SECTION
 - SQ. FT. - SQUARE FEET
 - (?) - FIELD



CITY OF LEESBURG
 PUBLIC WORKS DEPT.
 ENGINEERING DIVISION
 808 S. 14th ST. - P.O. BOX 40000
 LEESBURG, FLORIDA 34748
 PHONE (888) 728-6788
 FAX (888) 728-6778

SKETCH OF DESCRIPTION
UTILITY EASEMENT
 William Virgil & Mary Ann Ballard
 to the CITY OF LEESBURG

DATE: 06/28/2009
 DRAWN: DDF
 CHECKED: DDF
 APPROVED: AP
 SCALE: 1" = 40'
 FILE NO.: EA00013

SHEET NUMBER
 2
 OF
 2